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U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

EXPRESS MAIL LABEL NO.: None

October 12, 2005

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: R&amp;G C-397

U.S. APPLICATION NO. (If known, see 37 CFR 1.5): 10/536 943

CONFIRMATION NO.: 8306

INTERNATIONAL APPLICATION NO.: PCT/GB2003/005151

INTERNATIONAL FILING DATE: November 26, 2003

PRIORITY DATE CLAIMED: November 27, 2002

TITLE OF INVENTION: TOBACCO SMOKE FILTER

APPLICANT(S) FOR DO/EO/US: Anthony Denis McCORMACK

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Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. [ ] This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. [X] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. [ ] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. [X] The US has been elected (Article 31).
5. [ ] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. [ ] is attached hereto (required only if not communicated by the International Bureau).
  - b. [ ] has been communicated by the International Bureau.
  - c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US).
6. [ ] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. [ ] is attached hereto.
  - b. [ ] has been previously submitted under 35 U.S.C. 154(d)(4).
7. [ ] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. [ ] are attached hereto (required only if not communicated by the International Bureau).
  - b. [ ] have been communicated by the International Bureau.
  - c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.
  - d. [ ] have not been made and will not be made.
8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. [X] An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. [ ] An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

U.S. APPLICATION NO. (if known) (See 37 CFR 1.5): 10/536 943  
INTERNATIONAL APPLICATION NO.: PCT/GB03/005151  
ATTORNEY'S DOCKET NUMBER: R&G C-397

**Items 11 to 20 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information:
  1. Copy of "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office
  2. Postal Card

| The following fees have been submitted:  | Calculations | PTO USE ONLY |
|--|--------------|--------------|
| 21. <input type="checkbox"/> Basic National Fee (37 CFR 1.492(a)) .....\$300.00  | \$           |              |
| 22. <input type="checkbox"/> Examination Fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0.00<br>All other situations .....\$200.00   | \$           |              |
| 23. <input type="checkbox"/> Search Fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0.00<br>Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority .....\$100.00<br>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....\$400.00<br>All other situations .....\$500.00 | \$           |              |
| <b>TOTAL OF 21, 22 AND 23 =</b>  | \$           |              |

U.S. APPLICATION NO. (if known) See 37 CFR 1.5): 10/536 943  
 INTERNATIONAL APPLICATION NO.: PCT/GB03/005151  
 ATTORNEY'S DOCKET NUMBER: R&G C-397

|   |              |   |            |                        |                 |
|---|--------------|---|------------|------------------------|-----------------|
| [ ] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |              |   |            |                        |                 |
| Total sheets  | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE       |                        |                 |
| - 100 =   | /50 =        |   | x \$250    | \$                     |                 |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |              |   |            | \$130.00               |                 |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE       |                        |                 |
| Total claims  | - 20 =       |   | x \$ 50.00 | \$                     |                 |
| Ind. claims   | - 3 =        |   | x \$200.00 | \$                     |                 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   |            | + \$360.00             | \$              |
| <b>TOTAL OF ABOVE CALCULATIONS</b>  |              |   |            | <b>\$130.00</b>        |                 |
| [ ] Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |   |            | <b>SUBTOTAL</b>        | <b>\$130.00</b> |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |              |   |            | +                      | \$              |
| <b>TOTAL NATIONAL FEE</b>   |              |   |            | <b>=</b>               | <b>\$130.00</b> |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |            | +                      | \$              |
| <b>TOTAL FEES ENCLOSED</b>  |              |   |            | <b>=</b>               | <b>\$130.00</b> |
| 10/20/2005 GFREY1 00000119 10536943   |              |   |            | Amount to be refunded: | \$              |
| 01 FC:1617 130.00 -0P   |              |   |            | Amount to be charged:  | \$              |

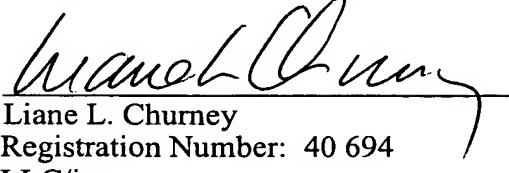
- a. [X] A check in the amount of \$130.00 to cover the above fees is enclosed.
- b. [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

IN DUPLICATE

PLEASE DIRECT CORRESPONDENCE TO  
 THE ADDRESS ASSOCIATED WITH THE  
 FOLLOWING CUSTOMER NUMBER: 23474

300.07/05



Liane L. Churney  
 Registration Number: 40 694  
 LLC/jp

FLYNN, THIEL, BOUTELL & TANIS, P.C.  
 2026 Rambling Road  
 Kalamazoo, Michigan 49008-1631



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

|                               |                         |                  |
|-------------------------------|-------------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT   | ATTY. DOCKET NO. |
| 10/536,943                    | Anthony Denis McCormack | R&G C-397        |
| INTERNATIONAL APPLICATION NO. |                         |                  |
| PCT/GB03/05151                |                         |                  |
| I.A. FILING DATE              |                         | PRIORITY DATE    |
| 11/26/2002                    |                         |                  |
| CONFIRMATION NO. 8306         |                         |                  |
| 371 FORMALITIES LETTER        |                         |                  |
| *OC000000017164567*           |                         |                  |
| *OC000000017164567*           |                         |                  |
| Date Mailed: 10/04/2005       |                         |                  |
| OCT 07 2005                   |                         |                  |
| DJW KLP                       |                         |                  |
| GMS CMC                       |                         |                  |
| FILE                          |                         |                  |

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/27/2005
- Copy of the International Search Report filed on 05/27/2005
- Preliminary Amendments filed on 05/27/2005
- Request for Immediate Examination filed on 05/27/2005
- U.S. Basic National Fees filed on 05/27/2005
- Priority Documents filed on 05/27/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

FILE NO:R&G 397 ATTY:DHT/LLC  
 DUE DATE:12-04-2005 ( 20051204 )  
 3700.P0397US /INIT:( 20051004 )  
 ACTION:10 RES PER:2 M DK1  
 ETIE EEE DEC FT AI / 3325

FILE NO:R&G 397 ATTY:DHT/LLC  
 DUE DATE:12-04-2005 ( 20051204 )  
 3700.P0397US /INIT:( 20051004 )  
 ACTION:10 RES PER:2 M DK1  
 ETIE TDS W/MTSS PARTS / 3324

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

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Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/536,943                  | PCT/GB03/05151                | R&G C-397        |

FORM PCT/DO/EO/905 (371 Formalities Notice)

PATENT APPLICATION

Applicant(s): Anthony Denis McCORMACK

Title: TOBACCO SMOKE FILTER

PCT International Application No.: PCT/GB2003/005151

PCT International Filing Date: November 26, 2003

U.S. Application No.

(if known, see 37 CFR 1.5): 10/536 943

Confirmation No.: 8306

Atty. Docket No.: R&G C-397

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FIRST CLASS MAILING CERTIFICATE

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.8 as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 12, 2005.

  
Liane L. Churney

LLC/jp

|  |  |   |
|--|--|---|
| FLYNN, THIEL, BOUTELL<br>& TANIS, P.C.<br>2026 Rambling Road<br>Kalamazoo, MI 49008-1631<br>Phone: (269) 381-1156<br>Fax: (269) 381-5465 | Dale H. Thiel<br>David G. Boutell<br>Ronald J. Tanis<br>Terryence F. Chapman<br>Mark L. Maki<br>Liane L. Churney<br>Brian R. Tumm<br>Steven R. Thiel<br>Donald J. Wallace<br>Kevin L. Pontius<br>Sidney B. Williams, Jr. | Reg. No. 24 323<br>Reg. No. 25 072<br>Reg. No. 22 724<br>Reg. No. 32 549<br>Reg. No. 36 589<br>Reg. No. 40 694<br>Reg. No. 36 328<br>Reg. No. 53 685<br>Reg. No. 43 977<br>Reg. No. 37 512<br>Reg. No. 24 949 |
|--|--|---|

Correspondence: Form PTO-1390 dated October 12, 2005, and all enclosures listed thereon

390.05/05